

Message Text

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PAGE 01 STUTTG 01776 121659Z
ACTION L-03

INFO OCT-01 EUR-12 ISO-00 CIAE-00 DODE-00 PM-04 H-01
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FM AMCONSUL STUTTGART
TO SECSTATE WASHDC 3693
INFO AMEMBASSY BONN
AMEMBASSY PARIS
AMCONSUL BREMEN
AMCONSUL DUSSELDORF
AMCONSUL HAMBURG
AMCONSUL FRANKFURT
AMCONSUL MUNICH
USMISSION USBERLIN
CINCUSAREUR HEIDELBERG
USCINCEUR VAIHINGEN

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FOR POLADS

E. O. 11652: N/A
TAGS: PINS GW
SUBJ: DEFENSE ATTORNEY ROLE IN TERRORIST ACTIVITIES HIGH-
LIGHTED BY CROISSANT ESCAPE TO PARIS

REF: STUTTGART 729

1. SUMMARY: MASTER MIND OF STUTTGART BAADER-MEINHOF DEFENSE,
KLAUS CROISSANT, HIMSELF SUSPECTED OF SUPPORT OF CRIMINAL
ASSOCIATION, JUMPED BAIL ON JULY 11 AND HAS ASKED FOR POLITI-
CAL ASYLUM IN PARIS. ANOTHER, SIEGFRIED HAAG, ONCE ARRESTED,
RELEASED AND RECAPTURED AFTER DISAPPEARANCE IN 1976, IS RE-
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PAGE 02 STUTTG 01776 121659Z

PORTEDLY ON HUNGER STRIKE IN FRANKENTHAL OR KOELN-OSSENDORF
PRISON IN EFFORT TO BE TRANSFERRED TO STUTTGART-STAMMHEIM
PRISON TO JOIN OTHER BAADER-MEINHOF PRISONERS. THESE TWO CUR-
RENT CASES HIGHLIGHT DIFFICULTIES FRG HAS CONSTANTLY EXPER-
IENCED WITH UNCLEAR ROLE OF DEFENSE LAWYERS IN BAADER-MEINHOF
AND OTHER TERRORIST TRIALS. END SUMMARY.

2. IN SPITE OF EXPRESS PROHIBITION, STUTTGART BAADER-MEINHOF DEFENSE LAWYER CROISSANT LEFT FEDREP JULY 11 AND ASKED FOR POLITICAL ASYLUM IN FRANCE, ACCORDING TO HIS STUTTGART OFFICE ON JULY 11. HIS OFFICE ADDED THAT CROISSANT, "DEFENSE LAWYER OF POLITICAL PRISONERS", INCLUDING ANDREAS BAADER, SAW NO FURTHER OPPORTUNITY TO FULFILL HIS MISSION OF PROTECTING THE LIVES OF RED ARMY FACTION (RAF) PRISONERS IN THE FEDERAL REPUBLIC.

3. CROISSANT HAD BEEN DEFENSE LAWYER OF ANDREAS BAADER AND ULRIKE MEINHOF FROM BEGINNING OF THEIR TRIAL IN MAY 1975, BUT HAD BEEN ARRESTED LATER THAT YEAR FOR ACTIVE SUPPORT OF CRIMINAL ASSOCIATION. IN BOTH 1975 AND 1976, AN ARREST WARRANT WAS SERVED FOR CONFINEMENT LASTING SEVERAL WEEKS. IN AUGUST 1976, HOWEVER, THE STATE COURT AT STUTTGART WITHDREW THE WARRANT AND RELEASED HIM ON BAIL OF DM 80,000, AND AT THE SAME TIME REQUIRING CROISSANT TO GIVE UP HIS IDENTITY DOCUMENTS AND TO REPORT TO POLICE HEADQUARTERS TWICE A WEEK. AFTER HIS FLIGHT ANNOUNCED JULY 11, COURT REINSTATED WARRANT OF ARREST.

4. LIKE CROISSANT, SIEGFRIED HAAG WAS BAADER-MEINHOF DEFENSE LAWYER FROM THE OUTSET, BUT WAS STRONGLY SUSPECTED OF PROCURING WEAPONS FOR STOCKHOLM BOMB ATTACK IN JUNE, 1975, AND WAS, THEREFORE EXCLUDED FROM BAADER-MEINHOF DEFENSE. HAAG, ALSO RELEASED FROM ARREST IN SUMMER OF 1975, WENT UNDERGROUND LIMITED OFFICIAL USE

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PAGE 03 STUTTG 01776 121659Z

AND WAS SOON CONSIDERED TO BE HEAD OF NON-IMPRISONED ELEMENTS OF BAADER-MEINHOF GANG, WITH STRONG LINKS TO FRANCE. HE WAS RECAPTURED ON DECEMBER 1, 1976 AND IS REPORTEDLY NOW ON HUNGER STRIKE DEMANDING REUNION WITH ARRESTED PRISONERS IN STUTTGART-STAMMHEIM PRISON.

5. COMMENT: THE PROBLEM OF THE SANCTITY OF THE RELATIONSHIP BETWEEN DEFENSE LAWYERS AND THEIR TERRORIST CLIENTS, AS WELL AS THEIR APPARENT ROLE AS LINKS IN THE TERRORIST MOVEMENTS, ARE SOME POINTS IN THE FEDERAL REPUBLIC. ADDITIONAL DEFENSE LAWYERS, LIKE STROEBELE, LANG AND GROENEWOLD APPARENTLY HAVE GONE FAR BEYOND NORMAL LEGAL DEFENSE SERVICES. ON THE OTHER HAND, BACKED BY THE LAWYERS' ASSOCIATION, WHICH STRONGLY ENJOINS THE LEGAL SYSTEM FROM REPEATING THE ERRORS OF THE THIRD REICH, FEDERAL COURTS HAVE BEEN VERY RELUCTANT TO CRACK DOWN ON THE LAWYERS OR TO INFRINGE ON LAWYER-CLIENT RELATIONSHIPS. LIKE HAAG AND CROISSANT, LANG HAS DISAPPEARED. GROENEWOLD WAS IMPRISONED, BUT HAS RECENTLY BEEN SET FREE. STROEBELE IS TAKING PART IN THE "STOCKHOLM TRIAL" IN DUSSELDORF.

6. IT WILL OF COURSE BE INTERESTING, IF IN FACT CROISSANT HAS SOUGHT ASYLUM IN PARIS, TO LEARN WHETHER FRANCE WILL

ACCEPT THE LONG-STANDING CROISSANT AND BAADER-MAINHOF ALLEGATION THAT THE RAF TRIALS ARE POLITICAL RATHER THAN CRIMINAL IN NATURE. AS IN THE CASE OF THE RELEASE OF THE MUNICH OLYMPICS TERRORIST ABU DAOUD, FRANCE ONCE AGAIN WOULD RUN THE RISK OF AROUSING FRG IRE. MEANWHILE, ONE MUST CONTINUE TO LOOK FOR THE CORRECT INTERPRETATION OF CROISSANT'S FLIGHT. IT COULD BE THAT THE LEGAL MASTER MIND AND PUBLIC RELATIONS EXPERT ACTUALLY FEELS HIS USEFULNESS IN A LEGAL SENSE HAS ENDED IN GERMANY. OR, WITH THE LAWYERS BECOMING MORE AND MORE IMPLICATED AND WITH THE TRIAL PHASE OF THE TERRORIST CAMPAIGN ENDED, CROISSANT'S DISAPPEARANCE COULD BE EVIDENCE THAT THE "DECKS ARE BEING CLEARED" FOR OTHER MEASURES TO GAIN THE RELEASE OF THE IMPRISONED TERRORISTS. CERTAINLY HIS REPORTED HAVEN FITS IN WITH OTHER REPORTS OF FOREIGN CONNECTIONS.

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PAGE 04 STUTTG 01776 121659Z

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